

FILED

JAY T. KIMURA 2497
Prosecuting Attorney

2007 FEB - 1 PM 1:12

MICHAEL S. KAGAMI 5317
Deputy Prosecuting Attorney
County of Hawaii
34 Rainbow Drive
Hilo, HI 96720
Tel. No. 961-0466

L. CHINEN, CLERK
THIRD CIRCUIT COURT
STATE OF HAWAII

Attorneys for State of Hawaii

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

STATE OF HAWAII) CR. NO. 99-266
)
vs.) APPLICATION FOR WRIT OF
) HABEAS CORPUS AD
) PROSEQUENDUM; ORDER
) DIRECTING ISSUANCE OF WRIT
) OF HABEAS CORPUS AD
) PROSEQUENDUM; WRIT OF
) HABEAS AD PROSEQUENDUM

APPLICATION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE GREG NAKAMURA, JUDGE OF THE ABOVE-ENTITLED
COURT:

Comes now the STATE OF HAWAII, by MICHAEL S. KAGAMI, Deputy
Prosecuting Attorney of the County and State of Hawaii, and respectfully alleges as
follows:

1. That JAMES CARVALHO has a case in the Circuit Court of the Third
Circuit, Hilo, Hawaii, Cr. No. 99-266;
2. That Defendant has a resentencing in Cr. No. 99-266 scheduled on
February 16, 2007, at 11:30 a.m., before the Honorable Greg Nakamura, Judge of the
Circuit Court of the Third Circuit;

I hereby certify that this is a full, true and correct
copy of the original on file in this office.

d. chinen

Clerk, Third Circuit Court, State of Hawaii

EXHIBIT b

3. That said Defendant is now imprisoned as a federal prisoner under the custody of the United States Marshal, District of Hawai'i, and is being detained at the Federal Detention Center, Honolulu, Hawaii; and

4. That in order to procure Defendant's presence in the Circuit Court of the Third Circuit, it is necessary that a Writ of Habeas Corpus ad Prosequendum be issued, pursuant to Chapter 660, Hawai'i Revised Statutes.

WHEREFORE, Applicant prays that the Clerk of this Court be directed to issue a Writ of Habeas Corpus ad Prosequendum commanding the:

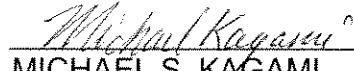
United States Marshal, District of Hawai'i, or his/her deputy to make available to State of Hawai'i Officials on February 16, 2007, the body of JAMES CARVALHO; and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant, to:

1. bring the said JAMES CARVALHO before the Honorable Greg K. Nakamura, Judge of the Circuit Court of the Third Circuit on February 16, 2007, at 11:30 a.m.;

2. return the said JAMES CARVALHO to the Custody of the United States Marshal, District of Hawai'i, that same day.

Dated: Hilo, Hawaii, FEB - 1 2007.


MICHAEL S. KAGAMI
Deputy Prosecuting Attorney

ORDER DIRECTING ISSUANCE OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that
the Clerk of this Court be and hereby is instructed to issue the Writ of Habeas Corpus
ad Prosequendum prayed for in the foregoing Application.

FEB 1 2007

Dated: Hilo, Hawaii: _____.

/s/ GREG K. NAKAMURA (Seal)

Judge of the above-entitled court

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

STATE OF HAWAII) CR NO. 99-266
vs.)
JAMES CARVALHO,) WRIT OF HABEAS CORPUS
Defendant.) AD PROSEQUENDUM

)
)

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: UNITED STATES MARSHAL, District of Hawai'i, or his/her Deputy; and STATE OF
HAWAI'I OFFICIALS

GREETINGS:

We command that you, United States Marshal, District of Hawai'i, or your Deputy, produce the body of JAMES CARVALHO, who is being detained as a federal prisoner under your custody, to State of Hawai'i Officials on February 16, 2007;

STATE OF HAWAI'I OFFICIALS, upon taking custody of said Defendant, to:

1. Bring the said Defendant before the Honorable Greg Nakamura, Judge of the Circuit Court of the Third circuit, on February 16, 2007 at 11:30 a.m.;
2. Return the said Defendant to the custody of the United States Marshal, District of Hawai'i, that same day;

Upon completion of the above and conclusion of Cr. No. 99-266, it shall be deemed sufficient compliance with this writ.

WITNESS the Honorable Greg Nakamura, Judge of the Circuit Court of the Third Circuit at Hilo, Hawaii, and the seal of said Court this 1st day of February, 2007.

DIANE M. KUNIMOTO (SEAL)

Clerk, Circuit Court, Third Circuit
State of Hawaii

/s/ GREG K. NAKAMURA (Seal)

Judge of the Circuit Court
Third Circuit, State of Hawaii